

## REMARKS

Prior to this Reply, Claims 1-7, 9-27, 30-36, 39-41 and 44-77 were pending. Through this Reply, Claims 1, 7, 16, 17, 22, 26, 32, 41, 44, 45, 49, 54, 68, 74, 76 and 77 have been amended, while Claims 78-81 have been added. Accordingly, Claims 1-7, 9-27, 30-36, 39-41 and 44-81 are now at issue in the present case.

### **I. Objection to Specification**

The Examiner objected to the substitute specification since the addition of “and approximately 45 degrees at the outer diameter 76” at page 12, line 18 is considered new matter.

The original specification describes the skew angle at the outer diameter in Fig. 7 as follows:

Referring now to **Fig. 7**, one embodiment is illustrated for giving a head a large skew angle. As can be observed, the head 300 is mounted at the end of the flexure arm 304 at an angle 306 relative to a centerline 307 of the actuator arm 308. The flexure arm 304 is mounted to the end of the actuator arm 308 with no significant angle. In one embodiment, the head 300 is mounted at an angle of 45 degrees relative to the end of the flexure arm 304. This produces a skew angle 316, in one embodiment, of approximately 45 degrees at the outer diameter 320 of the magnetic media 12, and a skew angle 316 of approximately 65 degrees at the inner diameter 324 of the magnetic media 12. It will be understood that other angles 306 for mounting the head 300 on the flexure arm 304 are possible, resulting in different skew angles 316. (Page 15, line 18 to page 16, line 5) (Emphasis added).

The substitute specification describes the skew angle at the outer diameter in Fig. 7 as follows:

Referring now to **Fig. 7**, the head 24 is mounted on the flexure arm 20 at a high mounting angle 114 relative to a centerline 116 of the actuator arm 22 in accordance with an embodiment of the present invention. In addition, the flexure arm 20 is mounted on the actuator arm 22 at no significant angle relative to the

centerline 116. As a result, the head 24 has a high skew angle 118. For example, a high mounting angle 114 of 45 degrees produces a high skew angle 118 of approximately 65 degrees at the inner diameter 74 and approximately 45 degrees at the outer diameter 76. (Page 12, lines 12-18) (Emphasis added).

The original (substitute) specification discloses a skew angle 316 (118) of approximately 45 degrees at the outer diameter 320 (76) of the magnetic media (disk) 12 in Fig. 7. Therefore, the material in the substitute specification cited by the Examiner is fully supported by the original specification and does not constitute new matter.

## **II. Rejection of Claims 17-25, 36, 44 and 62 Under 35 U.S.C. § 112**

The Examiner rejected Claims 17-25, 36, 44 and 62 under 35 U.S.C. § 112, first paragraph. The Examiner states that the skew angle being “zero degrees when said read element and said write element are located at a position off of said data storage region” is not supported by the specification.

The substitute specification supports this feature as follows:

Furthermore, the skew angle can be zero degrees when the read element and the write element are located at a position off of the data storage region of the disk. (Page 13, line 27 to page 14, line 2).

## **III. Allowable Subject Matter**

The Examiner objected to Claims 5, 18, 41, 74 and 76 as being dependent upon a rejected base claim. However, the Examiner indicated that such claims would be allowable if they were rewritten in independent form to include the limitations of the base claim and any intervening claims.

Claim 78 is Claim 5 rewritten in independent form to include the limitations of the base claim and any intervening claims.

Claim 79 is Claim 18 rewritten in independent form to include the limitations of the base claim and any intervening claims.

Claim 80 is Claim 41 rewritten in independent form to include the limitations of the base claim and any intervening claims.

Claim 81 is Claim 76 rewritten in independent form to include the limitations of the base claim and any intervening claims.

**IV. Rejection of Claims 1-4, 6, 7, 9-13, 15-17, 19-22, 24-27, 30-36, 39, 40, 44, 45, 60-65, 68-73, 75 and 77 Under 35 U.S.C. § 103(a)**

The Examiner rejected Claims 1-4, 6, 7, 9-13, 15-17, 19-22, 24-27, 30-36, 39, 40, 44, 45, 60-65, 68-73, 75 and 77 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,778,343 to Nunnelley (hereinafter “Nunnelley”).

**A. Claim 1**

Applicants submit that Claim 1 (as amended) is patentable over Nunnelley because Nunnelley fails to disclose a disk drive wherein “the physical widths of said read element and said write element are at least double the effective widths of said read element and said write element at said inner diameter.”

Moreover, the Examiner correctly notes, in indicating that Claim 74 is allowable subject matter, that “prior [art] fails to disclose a disk drive as recited in claim 68, wherein the physical widths are at least double the effective widths at the inner diameter.”

For at least the above reasons, Applicants submit that Claim 1 is patentably distinguishable from Nunnelley.

**B. Claims 7, 17, 26, 32, 45 and 68**

Claims 7, 17, 26, 32, 45 and 68 have been amended in a manner similar to Claim 1. Likewise, Claim 68 has been amended to rewrite Claim 74 in independent form to include the limitations of the base claim and any intervening claims, which the Examiner indicated as allowable. Accordingly, Applicants submit that Claims 7, 17, 26, 32, 45 and 68 are patentably distinguishable from Nunnelley for reasons similar to those provided in connection with Claim 1.

**C. Claims 2-4, 6, 9-13, 15, 16, 19-22, 24, 25, 27, 30, 31, 33-36, 39, 40, 44, 60-65, 69-73, 75 and 77**

Applicants submit that Claims 2-4, 6, 9-13, 15, 16, 19-22, 24, 25, 27, 30, 31, 33-36, 39, 40, 44, 60-65, 69-73, 75 and 77 (all of which depend, directly or indirectly, from one of Claims 1, 7, 17, 26, 32, 45 and 68) are patentably distinguishable from Nunnelley for reasons similar to those provided in connection with Claim 1.

**V. Rejection of Claims 14 and 23 Under 35 U.S.C. § 103**

The Examiner rejected Claims 14 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Nunnelley in view of U.S. Patent No. 5,793,550 to Nepala et al. (hereinafter “Nepala”). Applicants submit that Claims 14 and 23 are patentably distinguishable from Nunnelley and Nepala at least because such claims depend from Claims 7 and 17, respectively.

**VI. Rejection of Claims 46-59, 66 and 67 Under 35 U.S.C. § 103**

The Examiner rejected Claims 46-59, 66 and 67 under 35 U.S.C. § 103(a) as being unpatentable over Nunnelley in view of U.S. Patent No. 5,790,341 to Cunningham (hereinafter “Cunningham ‘341”).

**A. Claims 49 and 54**

Applicants have amended Claims 49 and 54 in a manner similar to Claim 1. Accordingly, Applicants believe that Claims 49 and 54 are patentably distinguishable from Nunnelley and Cunningham ‘341 for reasons similar to those presented in connection with Claim 1.

**B. Claims 46-48, 50-53, 55-59, 66 and 67**

Applicants believe that Claims 46-48, 50-53, 55-59 and 66-67 are patentable at least because they depend, directly or indirectly, from one of Claims 45, 49 and 54.

**VII. Other Amendments**

The claims have been amended to improve clarity. No new matter has been added.

**VIII. Additional Claim Fees**

In determining whether additional claim fees are due, reference is made to the Fee Calculation Table (below).

**Fee Calculation Table**

	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Extra	Rate	Additional Fee
Total (37 CFR 1.16(c))	74	Minus	70	= 4	x \$50 =	\$200.00
Independent (37 CFR 1.16(b))	13	Minus	9	= 4	X \$200 =	\$800.00

As set forth in the Fee Calculation Table (above), Applicants previously paid claim fees for seventy (70) total claims and for nine (9) independent claims. Therefore, Applicants hereby authorize the Commissioner to charge Deposit Account No. 50-2198 in the amount of \$1000.00 for the presentation of four (4) total claims over seventy (70) and four (4) independent claims over nine (9). Although Applicants believe that no other fees are due, the Commissioner is hereby authorized to charge Deposit Account No. 50-2198 for any fee deficiencies associated with filing this paper.

**IX. Conclusion**

It is believed the above comments establish patentability. Applicants do not necessarily accede to the assertions and statements in the Office Action, whether or not expressly addressed.

Applicants believe that the application appears to be in form for allowance. Accordingly, reconsideration and allowance thereof is respectfully requested.

The Examiner is invited to contact the undersigned at the below-listed telephone number regarding any matters relating to the present application.

Respectfully submitted,



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